

Nottingham Property Request for Proposals



City of Eudora, Kansas

January 22, 2016



ARTICLE 1. GENERAL INFORMATION

SECTION 1.01 INTRODUCTION

The City of Eudora, Kansas is excited to present an opportunity for the redevelopment of a vital property in one of the most visible corridors in the community. Located at 1428 Elm Street, this 15-acre city-owned site is located approximately 1,000 feet north of K-10 Highway on the west side of Church Street (Douglas County 1061) and has more than 1,300 feet of frontage along its eastern side. The Church Street corridor functions as a major gateway into the city and serves as one of the two access points to K-10, which itself has a daily vehicle traffic count in excess of 28,000 that is expected to significantly increase upon the completion of the South Lawrence Trafficway.

The site is commonly known as the “Nottingham Property,” an area that the city is in the process of defining as a Tax Increment Financing District (TIF). The Nottingham Property is located at the northwest corner of K-10 and Church Street (Douglas County 1061) access ramps. It formerly served as an academic facility with athletic fields surrounding school buildings. The City of Eudora recently acquired the property from the local school district for the purposes of economic redevelopment. In 2010, city and school officials worked with various community stakeholders to prepare the [Nottingham Design Guidelines and Conceptual Site Plan](#). While officially adopted, and revised in 2011 by the governing body, the Nottingham Design Guidelines are to serve as a reference and provide direction for redevelopment of the property. It is anticipated that due to the unique nature of this site, other creative development standards and guidelines could be utilized.

In addition to design guidelines, the city recently partnered with Buxton Company to determine economic potential and business opportunities in the community. Buxton continues to provide reports and analyses needed to understand our trade area and the appropriate businesses that would thrive.

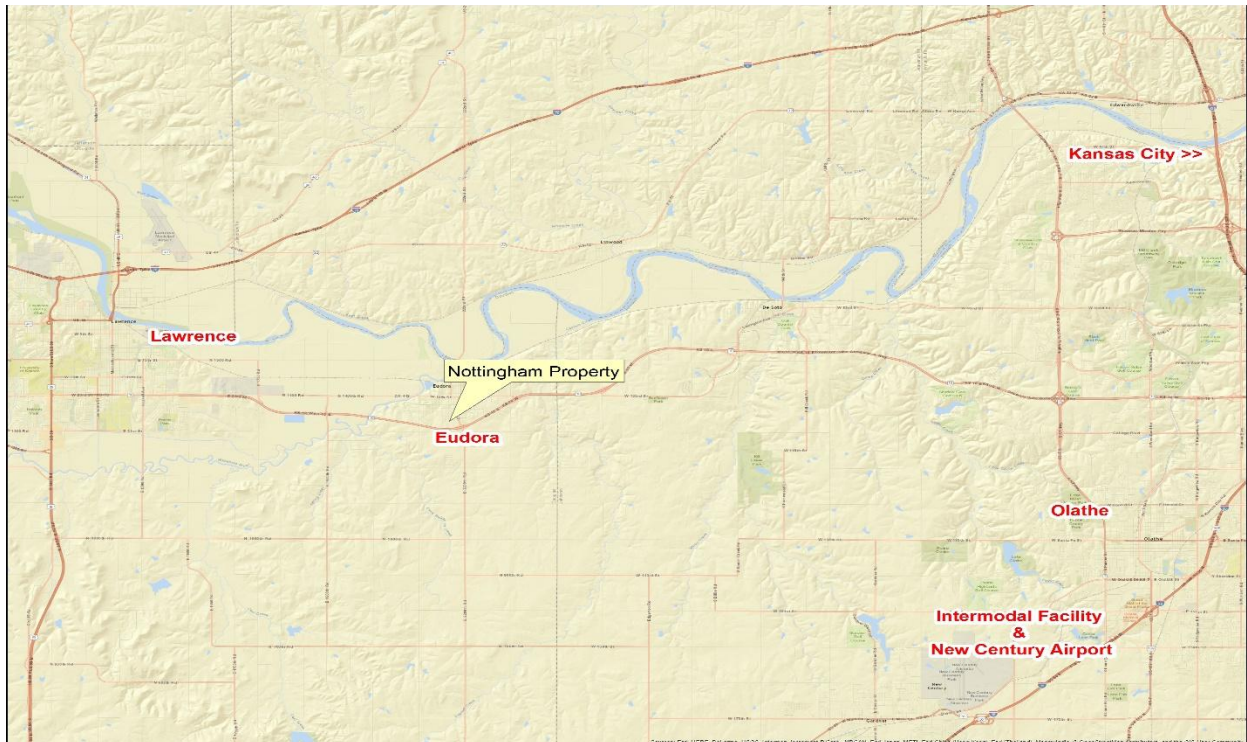
Given this momentum, the city has decided to seek proposals from developers, end-users, and/or development teams. A successful proposal will demonstrate the ability to develop and market a retail/commercial development project and/or immediately develop a portion of the property with an end user not currently serving the area. The city would consider high-density residential uses acceptable for a portion of the property so long as it is part of a larger commercial-focused development proposal.

We encourage you to join a community that is progressive and growing given its ideal location – nestled between Lawrence and the Greater Kansas City Metropolitan Area.

ARTICLE II. PROJECT SCOPE

SECTION 2.01 INTENT

The City of Eudora, Kansas is seeking development proposals from end users, developers and/or development teams, for the Nottingham Property consisting of approximately 15 acres located at the northwest quadrant of K-10 and Church Street. The intent is to create a quality retail/commercial development that will function as a primary gateway into the community. (See Exhibit A).

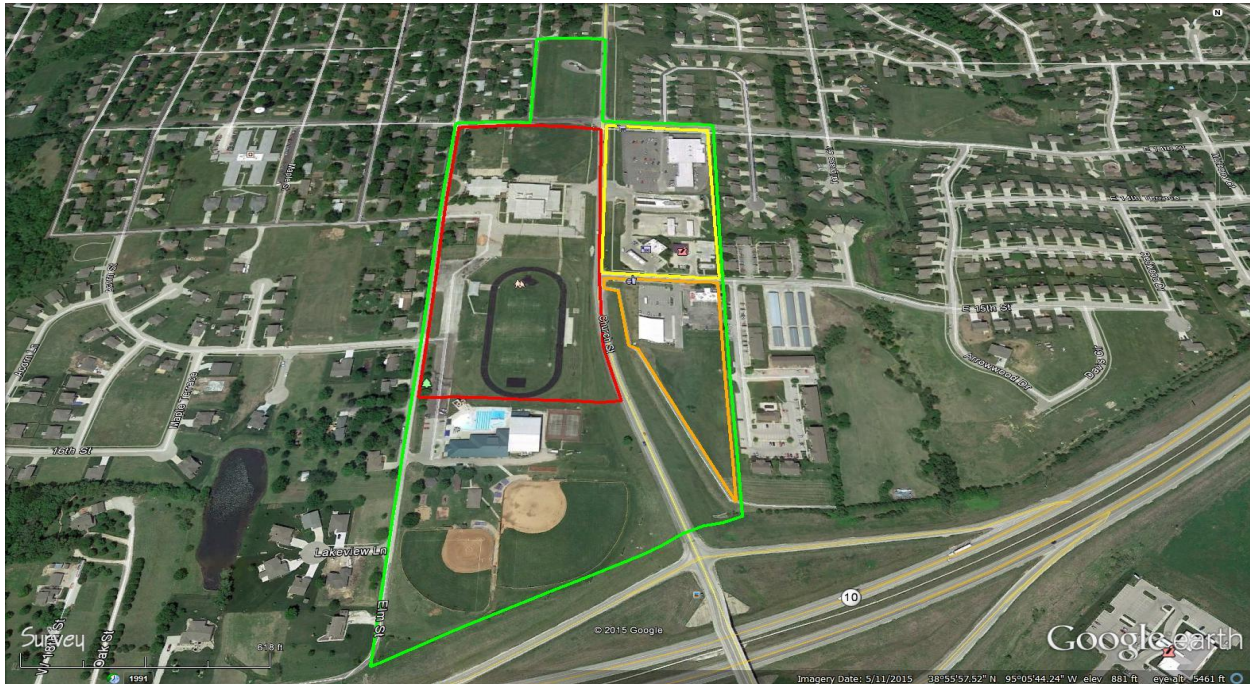


Regional context of the Nottingham Property to Lawrence and the Kansas City Metropolitan Area.

SECTION 2.02 DEVELOPMENT GOALS

Ideally, the site would be transformed into a pedestrian friendly development that includes a major retail, a mixed-use power center, and high density residential and/or office space. All new development in the city is expected to comply with the [City of Eudora's: Comprehensive Plan](#), [Parks and Recreation Master Plan](#), [2010 Economic Development Plan](#), and general intent of the Nottingham Design Guidelines and Conceptual Site Plan.

The purpose of this RFP is to solicit proposals specifically related to the redevelopment of the entire site identified in this document (See Exhibit B).



Aerial view of Nottingham Property and associated TIF district.

However, proposals that contemplate subdividing the subject property or plan to include properties beyond the identified project area will be considered if the proposing developer can demonstrate a realistic ability to own and acquire needed properties.

ARTICLE III. PROPERTY DATA

SECTION 3.01 EXISTING LAND USES

The majority of the area is occupied by athletic fields (a running track to the south and ball fields to the north) and is currently being utilized by the Parks and Recreation Department for its recreational programs. The old school building (Nottingham) is vacant and unoccupied.

The property is bounded by and adjacent to public streets on the north (W 14th Street), east (Church Street), and west (Elm Street). The area north of the property (north side of W 14th Street) includes single-family residential homes and a 2.5-acre tract that is privately owned and undeveloped. To the south are the community recreation and aquatic centers.

The area east of the Nottingham Property (east side of Church Street) has several commercial/retail buildings that are occupied by various tenants. The area west of the property is developed with single-family residential homes.

SECTION 3.02 ACCESS

The site is easily accessible from Kansas Highway 10 via Church Street (Douglas County Road 1061). The site is afforded access to the abutting roadways, W 14th Street to the north, Church Street to the South and Elm Street to the west. It is anticipated the number and type of access points will change and be dependent upon how the property is redeveloped. Church Street is located within right-of-way owned and managed by K-DOT, Douglas County and the City of Eudora, Kansas.

SECTION 3.03 LAND AREA

The land area is 14.651 acres, more or less, and is encumbered by various historical plats. As a result, the site will need to be re-platted. (See Exhibit C ALTA Survey.)

SECTION 3.04 TOPOGRAPHY AND NATURAL FEATURES

Because the site is developed and located within an urbanized area, the topography is relatively flat with approximately one foot of rise from north to south and 5 feet of rise from west to east. There are several improvements located throughout the site, including: fencing, some mature trees, parking lots, an athletic track, a school, out buildings and structures.

SECTION 3.05 OWNERSHIP

The site is solely owned by the City of Eudora.

SECTION 3.06 PROPERTY VALUE

Douglas County records appraise the “Nottingham Property” with a 2014 value of \$1,604,760 for the land and \$2,231,130 for improvements, totaling \$3,835,890 overall. The 2015 appraised value was \$392,060 for the land and \$2,258,130 for improvements, totaling \$2,650,190 overall. Values for 2016 have not yet been calculated by the county.

SECTION 3.07 ZONING

This site is currently zoned Single-Family Residential (RS). The city will consider rezoning the site to accommodate economic redevelopment. . The [Nottingham Design Guidelines and Conceptual Site Plan](#) will serve as a reference and provide direction for redevelopment of the property. It is anticipated that due to the unique nature of this site, other creative development standards and guidelines could be utilized.

SECTION 3.08 UTILITIES

The property has access to all utilities, including but not limited to, water, electric, telephone, internet, sanitary storm sewer, and natural gas.

SECTION 3.09 FINANCIAL ASSISTANCE

The Nottingham Property will be in an eligible Tax Increment Financing District pursuant to the Kansas Tax Increment Redevelopment Act, K.S.A. 12-1770 et. Seq, as amended (the Act).

SECTION 3.10 ADJACENT DEVELOPMENT

The areas north and west of the property are developed as single-family residential in nature. The area east of the property is developed as retail/commercial in nature. The area south of the development (and south of K-10) has limited commercial and retail development. Eudora Family Care, a satellite clinic of Lawrence Memorial Hospital, is located southeast of the development.

ARTICLE IV. REGIONAL DEVELOPMENT FACTORS

SECTION 4.01 POPULATION

The City of Eudora has seen a steady increase in population for the last decade. Between 2000 and 2010, the population increased by about 43% to 6,137. Since 2010, the population has increased by 2.7% to roughly 6,303. Given Eudora's location, the population is projected to increase steadily. According to the University of Kansas Center for Community Economic Development Policy Research Institute, Eudora has grown 30 % per decade since 1930.

SECTION 4.02 INCOME

Current Census data show the median annual household income in Eudora to be \$59,438. This exceeds the national average by about \$6,392. Douglas County's median household income is estimated to be \$49,508.

SECTION 4.03 HOUSING

Eudora offers a wide array of housing options from converted downtown lofts to traditional residential neighborhoods and newer suburban subdivisions. In comparison to other cities around the region, Eudora's housing options are highly affordable. The median home value in Eudora is \$146,100.

SECTION 4.04 EDUCATION

93.7% of the city's residents hold a high school diploma or higher. This is 7.7% higher than the national average of 86%. Approximately 36% of the residents have attained a bachelor's degree or higher.

SECTION 4.05 ECONOMY

The city's economy mirrors that of many small cities near major metropolitan areas but there are a few key differences. The city generally experiences moderate economic performance without extremely high peaks or low valleys. The city's location between Lawrence and Kansas City Metropolitan areas in the K-10 Highway Corridor is ideal for both small business owners and large corporations. HP Pelzer is one of the largest employers with over 160 employees. Other major employers include: C-Hawk Industries, Eudora Public Schools, Medicalodges, Air Filters Plus Inc., Benchmark Construction, and Gene's Heartland Foods among others.

Please refer to the recently completed [Buxton Report](#) to see the city's economic demands and possibilities.

ARTICLE V. RFP CALENDAR OF EVENTS

The contract term and work schedule set out herein represent the City of Eudora's best estimate of the schedule that will be followed. If any component of this schedule is delayed, the rest of the schedule will likely be shifted by the same number of days.

PHASE I

Issuance of RFP	1/22/2016
Last Day of Questions	2/26/2016
Proposals Due	3/11/2016 (due no later than noon)
Submittal(s) Reviewed and Short List Developed	3/18/2016

PHASE II

Interviews Scheduled and Conducted	3/24/2016
Selected Proposer Notified	3/29/2016
Negotiations w/Selected Proposer/Contract Executed	TBD
Anticipated Start of Construction	Fall 2016

SECTION 6.01 INQUIRIES - CLARIFICATIONS

Any questions regarding the Request for Proposal shall be directed in writing to the attention of the owner (City of Eudora) via fax or e-mail, ATTN: Gary Ortiz, City Manager, 4 East 7th St. Eudora, KS, 66025, or fax at 785-542-1237, or e-mail at gortiz@cityofeudoraks.gov. All questions must be received no later than the date established in the project timetable. Telephone conversations must be confirmed in writing by the interested party.

Two types of questions generally arise. One may be answered by directing the questioner to a specific section of the RFP. These questions may be answered over the phone. Other questions may be more complex and may require a written amendment to the RFP. The city manager will determine the appropriate method to be used.

SECTION 6.02 RFP PROCESS

This Request for Proposal ("RFP") is an invitation by the City of Eudora for proposers to submit a conceptual proposal, which may be subject to subsequent discussions and negotiations. **It is not a request for a competitive bid.** One or more proposals may be accepted. A proposal for redevelopment of the entire property is preferred. Submittal of a proposal does not create any right or expectation of a contract with the City of Eudora.

This Request for Proposals represents the initial step in the selection of a Developer for the Site. Responses for this RFP should:

1. Demonstrate the Proposer's specific expertise in developing high quality commercial projects,
2. Disclose financial capability to undertake the proposed development, and
3. Present a proposal for the development of the "Nottingham Property" to the City of Eudora.

Each proposer to this RFP agrees that the preparation of all materials for submittal to the City of Eudora and all presentations are at the proposer's sole cost and expense, and the City of Eudora shall not, under any circumstances, be responsible for any costs or expenses incurred by a proposer. This RFP and the selection process shall in no way be deemed to create a binding contract or agreement of any kind between the City of Eudora and any proposer. In addition, each proposer agrees that all documentation and materials submitted with a proposal shall become the property of the City of Eudora. Finally, the City of Eudora reserves the right to reasonably amend and/or add to this RFP at any time prior to the submission deadline. Changes to the RFP can be viewed online: <http://www.cityofeudoraks.gov/>

If the City of Eudora selects a proposer, it will negotiate an agreement with proposer. All legal rights and obligations between the selected proposer(s), if any, and the City of Eudora will come into existence only when an agreement is fully executed by the parties and approved by the Eudora City Commission.

The City of Eudora will designate a project manager to work closely with the selected proposer during the pre-development and construction process, including permitting and public review. The project manager will help the selected proposer coordinate with all city departments and applicable city boards/commissions.

Submittals are public records subject to disclosure under the Kansas Open Records Act. Information demonstrating the proposer's financial capabilities shall remain confidential.

SECTION 6.03**PROPOSAL SUBMITTAL**

In order to be considered for selection, proposers must submit a complete response to this RFP. One (1) original and seven (7) copies of each proposal along with an electronic copy of the proposal on a USB/ flash drive in PDF format must be submitted to the city in a sealed envelope to:

City Clerk
City of Eudora
4 East 7th Street
Eudora, KS, 66025

All proposals must be received no later than the time listed in the RFP calendar of events. Late proposals will not be considered.

SECTION 6.05**AUTHORIZED SIGNATURE**

All proposals must be signed by an individual authorized to bind the offer to the provisions of the RFP. Proposals must remain open and valid for at least ninety (90) days from the opening date.

SECTION 6.06**PROPOSAL FORMAT AND CONTENT**

The City of Eudora has established an aggressive timeframe for this process. As a result, the proposal process will be split into two phases. Phase I will focus on the experience, qualification, capacity and conceptual description of the development concept for the proposed site. Phase II of the process will result in a short-list of proposers that will be requested to provide more detailed information regarding the development plan for the property.

Phase I Proposals – Please submit materials in keeping with the format, identifying each item by letter and number.

1) Development Entity

Provide information relating to the development and management team including but not limited to:

- a) A full description of the Proposer's entity (corporation, partnership, etc.) and identification of all parties including disclosure of all persons and entities having a beneficial and/or legal interest in the proposal.
- b) Complete description of the development team (e.g., architects, legal representatives, proposed tenants, commercial tenants, real estate brokers/marketing representatives, proposed tenants, retail consultants, and contractors) including names; addresses; individual resumes of those individuals to be assigned to the project; the responsibilities of each member and/or firm; and the experience of all involved.
- c) Identification of potential end users of the proposed development, including type of business and nature of occupancy.

2) Proposer Experience

- a) Describe relevant project experience with other public entities with a focus on commercial/retail development projects. Please note that project delivery and the ability to deliver against a proven schedule of performance are critical aspects of the evaluation.
- b) Please include the following information for each past project identified:
 - i. Location and photographs of listed projects. General description of the project including the role of the development entity, a brief history of the project, and any unique challenges of the project.
 - ii. Identify the lease-up period and the commercial and/or retail tenants selected. Describe the relationship with tenant(s) and the approach used to incorporate the retail/commercial uses into the project.
 - iii. Identify the key development team members of the project. If any team members are different from the team being proposed for this project, provide an explanation of why the new team member(s) were selected.
 - iv. State whether or not development was undertaken in conjunction with public entities, with reference/contact information.
 - v. Present total development cost; identify the amount of debt and the amount of equity used to finance each project, and economic return(s) achieved.
 - vi. Discuss the project's schedule and whether the project was on schedule and within budget
 - vii. Discussion of the project successes, including achievement of project specific goals. Provide any supporting documentation demonstrating success in buyer/renter satisfaction regarding after-sale/ongoing property maintenance/management and operations for the uses proposed by the Proposer, as appropriate.

3) Financial Capacity

- a) For Phase I of this proposal, please submit evidence of financial capacity to undertake and sustain a project of this nature.
- b) Additional financial information will be required during Phase II of the selection process of one or more parties. Such information will be reviewed by parties so as to protect the confidentiality of information deemed appropriate. Examples of such Phase II information may include:
 - i. An "audit" or "review" financial statement for the Proposer or development team prepared by an independent accounting firm in accordance with generally accepted accounting principles. At the city's discretion, other information will be considered if it demonstrates the proposer's financial capacity to implement the proposed project.
 - ii. Identify the specific relationships (and contact information) for the entity(ies) that provided the debt and equity invested in the projects identified in the "Proposer's Experience" section.
 - iii. Identify any real estate loan obligations of the proposer's team that have been foreclosed on, declared in default, or defined as non-performing loans during the last five years.

- iv. Sample Development Agreement(s) from previous project(s).
- 4) Project Proposal and Business Terms
- a) A narrative description including the property to be utilized, the development concept, the square footage of proposed land uses, height, density and other detailed information about the site, building and urban design elements and relationships. Pedestrian and vehicular access and circulation should also be addressed. Include a description of how the project addresses the purpose and vision of the City of Eudora.
 - b) Estimated project costs, including:
 - i. Construction costs, site preparation and an estimate of “soft” costs to be incurred including, but not limited to, architecture and engineering fees; financial charges and all other relevant expenses and fees.
 - ii. Identify any anticipated City of Eudora’s financial involvement, direct or indirect, in implementing your proposal.
 - c) State the key terms of the development proposal, including: requested options; and the responsibilities proposed to be accepted by the City of Eudora.
 - d) A proposed timeframe for the development, including identification of any conditions that must be met before the proposal can become a reality.
 - e) A description of the public benefits that will result from the proposed development.

SECTION 6.07 EVALUATION

In the first phase, interested Proposers or Proposer teams will submit statements of qualification and proposals in response to this RFP. Submittals delivered by the deadline indicated herein will be reviewed and evaluated based on the Evaluation Criteria for submittals outlined below.

During the second phase of the process, members of the City of Eudora selection panel and/or consultants retained by the City of Eudora will evaluate the submittals. At its discretion, the panel may contact references and industry sources, investigate previous projects and current commitments, interview some or all of the development team members, and take any other information into account in its evaluation of the responses. The City of Eudora reserves the right to request clarification or additional information from proposers.

Based on the Phase I evaluation, a short list of responsive Proposers will be prepared. These short listed Proposers may be interviewed by a review panel in Phase II and may be asked for conceptual drawings, and additional details and/or clarifications regarding their proposed project as part of the interviews.

Based on the quality of the proposal, the proposed uses compatibility with the adjacent properties, ability to move quickly and required terms and conditions, the Selection Committee will recommend a Proposer(s) to the Eudora City Commission for approval. The Eudora City Commission reserves the right to select a proposer(s) for the development.

Proposals may be evaluated with or without discussions and/or negotiations with proposers. The City of Eudora reserves the right to request additional information from any or all proposers. The City of Eudora will review the proposer’s capacity to finance or leverage financing for the proposed development partnership. This will include a review of appropriate equity in the project and a fair distribution of risk between the private and public sector.

SECTION 6.08 SELECTION CRITERIA

In the selection process, emphasis will be placed on the directly relevant qualifications and financial capacity of the proposers, and the financial terms being proposed. Submittals will be based upon the following:

- 1) The development concept for the site and its relationship to the goals and objectives of the City of Eudora.
- 2) The public benefit that would be provided by the project.
- 3) The experience and the financial and organizational capacity of the developer in successfully planning and completing development projects of similar type and scale, on time and within budget.
- 4) The market and financial feasibility of the project.
- 5) The anticipated ability of the project to secure necessary public and private funds.
- 6) Understanding of the regulatory approval process, as reflected by the Proposer's advisors and consultant team, business terms and conceptual development schedule.
- 7) Proposer's acceptance of RFP terms, completeness of submissions, and compliance with the submission requirements of the RFP.
- 8) Establishment of clear lines of responsibility within the team upon which the City of Eudora can rely during negotiations and implementation of the project.
- 9) Ability of the Proposer(s) and design team to implement high quality development projects within budget and with timely project delivery, including a limitation on claims or delays that may affect project timeliness.
- 10) The use of creative site expansion options.
- 11) Other factors as appropriate.

ARTICLE VIII. EXHIBITS

- Exhibit A: [Vicinity Map](#)
- Exhibit B: [Site Map](#)
- Exhibit C: [ALTA Survey](#)
- Exhibit D: [Buxton 2015 Leakage/Surplus Report](#)
- Exhibit E: [Chapter 4, 2010 Economic Development Plan](#)
- Exhibit F: [Nottingham Design Guideline & Conceptual Site Plan](#)
- Exhibit G: [Signature Form](#)